



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

946324

REPLY TO THE ATTENTION OF

S-6J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

John Taylor  
Taylor & Hammel, LLC  
1240 North Pitt Street, Suite 200  
Alexandria, Virginia 22314

Re: Freedom of Information Act  
FOI Number: 05-FOI-01168-11  
Site/Project/File Number: Satralloy Facility  
Steubenville, Ohio

Dear Mr. Taylor:

This letter serves as the U. S. Environmental Protection Agency, Superfund Division's response to your Freedom of Information Act (FOIA) request dated May 12, 2011. This request has been designated as a multi-program Combined Billing request.

Noreen Weimer, of my staff, has discussed the request with you, and you agreed to several extensions, with the final extension culminating on February 15, 2012. We appreciate your patience as we collected the information responsive to your request. In our discussion you also agreed to a fee commitment of \$300.00.

During the week of October 17 – 21, 2011, you and two of your colleagues came in for a file review. During the file review you agreed to make copies of documents you wanted by using our coin operated machine.

We also found additional documents responsive to your request. We are enclosing copies of those documents along with an itemized list of the documents. The itemized list is provided in Enclosure A to this letter. We have redacted portions of several documents because we have determined those portions to be exempt from mandatory disclosure by virtue of Exemption 4.

Futhermore, we are unable to provide you with certain other documents that may also be responsive, because they are exempted from mandatory disclosure by virtue of 5 U.S.C. § 552(b)(3), (4), (5), and (6). An itemized list of the records that are being held along with the basis for withholding them is provided in Enclosure B to this letter.

Exemption 3 of FOIA, 5 U.S.C. § 552(b)(3), is information that is specifically exempted from disclosure by another Federal statute, Federal Rules Criminal Procedure 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Statute 319. Exemption 4 of FOIA, 5 U.S.C. § 552(b)(4), includes confidential business information pursuant to EPA Class Determination I-95, "Confidentiality of Certain Business Information Submitted by Contractors and Prospective Contractors," which includes "information that would disclose a submitter's labor rates, salaries, overhead costs, general and administrative cost, or fee or profit" of EPA contractors and prospective contractors. Exemption 5, 5 U.S.C. § 552(b)(5), includes, as applicable to this request, the attorney/client, attorney work product and deliberative process privileges recognized under common law. Finally Exemption 6, 5 U.S.C. § 552(b)(6) permits the withholding of all information about individuals in personnel, medical and similar files, the disclosure of which "would constitute a clearly unwarranted invasion of personal privacy".

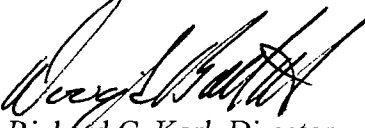
You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number 05-FOI-01168-11. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

The nature of your request indicates documents may be available from two or more Offices and/or Divisions within Region 5. Each Office and/or Division involved in processing this request will provide you with a response.

Charges may be applicable from each Office and/or Division processing your request. You will be billed for combined charges within 60 days from the date of your initial FOIA inquiry. If additional time is needed to respond to your request, you may receive a separate bill from the respective Divisions/Offices.

You may contact Noreen Weimer, FOIA Specialist at (312) 353-8655 or Evette Jones, Chief, Enforcement Services Section #3 at (312) 886-7572 should you have any other questions concerning this request.

Sincerely,

  
for Richard C. Karl, Director  
Superfund Division

Enclosures

PAGE REMOVED  
NON- RESPONSIVE

Enclosure A

**DOCUMENTS RELEASED  
SATRALLOY FACILITY  
NEAR STUEBENVILLE, OHIO**

1. Site Assessment Report for Jefferson Processing Site, w/pictures from Ecology and Environment, Inc., dated January 31, 2000, 63 pages
2. Letter to Gail Nabasny, US EPA from Drew Pearce, Ecology and Environment, Inc., re: Jefferson Processing Site – to conduct removal action support, dated December 17, 2000, 1 page
3. Memorandum to Tom Cook, US EPA from Richard Kelly, Jefferson County General Health District, re: PWS within a 5-mile radius of Plant, dated October 6, 2000, 2 pages
4. Memorandum to Francis Lyons and David Ullrich, US EPA from William Muno, US EPA, re: Report of Significant Developments and Activities Ending in August 23, 2000, 1 page
5. Technical Review Memorandum to Thomas Cook, US EPA from Cheryl Elliott & Drew Pearce, Ecology and Environment, Inc., re: Technical Review of Health and Safety Plan for Jefferson Processing, dated August 2, 2000, 1 page
6. Letter to Danna Skeid, Public Library of Steubenville and Jefferson County from Janet Pfundheller, US EPA re: Jefferson Processing Site (Replacement Administrative Record), dated August 29, 2000, 2 pages
7. E-mail to Mark Bedford, US EPA from Janet Pfundheller, US EPA re: Library, dated August 1, 2000, 1 page
8. Letter to Danna Skeid, Public Library of Steubenville and Jefferson County from Janet Pfundheller, US EPA re: Jefferson Processing Site Removal AR Original, dated June 26, 2000, 3 pages
9. Memorandum to Thomas Cook, US EPA from Anne Marie Vincent, Ecology and Environment, Inc., re: Cost Projection for the Jefferson Processing Site Removal, dated April 4, 2000, 9 pages, 42 lines redacted, Exemption 4
10. Memorandum to Thomas Cook, US EPA from Anne Marie Vincent, Ecology and Environment, Inc., re: Cost Projection “B” for the Jefferson Processing Site Removal, dated April 10, 2000, 9 pages, 40 lines redacted, Exemption 4

Enclosure A

**DOCUMENTS RELEASED  
SATRALLOY FACILITY  
NEAR STUEBENVILLE, OHIO**

11. Memorandum to Thomas Cook, US EPA from Anne Marie Vincent, Ecology and Environment, Inc., re: Cost Projection for the Jefferson Processing Site Removal, Dated April 10, 2000, 9 pages, 40 lines redacted, Exemption 4

Enclosure B

**DOCUMENT(S) WITHHELD  
SATRALLOY FACILITY  
NEAR STEUBENVILLE, OHIO**

<u>Document(s)</u>	<u>Date(s)</u>	<u>Page(s)</u>	<u>Exemption(s)</u>
1. Checks to Jefferson Processing from Jefferson County Auditor	Various Dates	13	Exemption 4
2. Letter to Nidhi O'Meara, US EPA from Laura Rostan, Sky Bank	9/10/00	33	Exemption 4
3. Fax to Frank Boenzi, US EPA	1/23/02	2	Exemption 3
4. Complaint Sheets	Various Dates	7	Exemption 3
5. Memorandum to Nidhi O'Meara, US EPA from Paige Bush re: Satra Group follow up questions	9/30/02	5	Exemption 5
6. File Folder – Memorandum to Reginald Arkell from Bertram Frey, US EPA re: Request for Civil Investigative Assistance in the Jefferson Processing Cost Recovery Case w/attachments – Atty. Notes	Various Dates	39	Exemption 5
7. E-mail to Nidhi O'Meara from Frank Boenzi, US EPA re: Jefferson Processing w/attachment of document list and documents regarding pending investigation of Gary Smith and Lucille Smith	Various Dates	144	Exemption 5
8. Enforcement milestone forms re: Jefferson Processing	Various Dates	13	Exemption 5
9. Fax to Frank Boenzi, US EPA from Michael Martin, US EPA re: Compliance Evaluation Inspection Checklist	Various Dates	11	Exemption 5

Enclosure B

**DOCUMENT(S) WITHHELD  
SATRALLOY FACILITY  
NEAR STEUBENVILLE, OHIO**

<u>Document(s)</u>	<u>Date(s)</u>	<u>Page(s)</u>	<u>Exemption(s)</u>
10. Exhibits – Handwritten notes, exhibits, reports, notice of violations and correspondence demonstrating Gary Smith's connection to Jefferson Processing site	Various Dates	128	Exemption 5
11. File Folder – Email to Nidhi O'Meara from Frank Boenzi re: Jefferson Processing Final Report w/attachments of emails including attachments, hand-written notes, atty. notes and conversation records	Various Dates	169	Exemption 5
12. Email - Lance Vlcek to Frank Boenzi re: Jefferson Processing Report with attachments	4/26/02	8	Exemption 6
13. Enforcement Referral	12/16/97	17	Exemption 3
14. Document	2/3/97	9	Exemption 3
15. Warrant	2/18/97	3	Exemption 3
16. Various emails to Don Vanterpool and Jdague re: Satra/Glorious; Jefferson Processing; Argo Sales	N/A	6	Exemption 5
17. Email to Debora Haidar, Gaylene Vasaturo, Tom Cook re: Heads up Jefferson Processing Site	5/10/00	1	Exemption 5
18. Document w/attachments re: Ohio EPA Contemplating Enforcement Action Against Satralloy Site	N/A	135	Exemption 5

Enclosure B

**DOCUMENT(S) WITHHELD  
SATRALLOY FACILITY  
NEAR STEUBENVILLE, OHIO**

<u>Document(s)</u>	<u>Date(s)</u>	<u>Page(s)</u>	<u>Exemption(s)</u>
19. Document – Satralloy/Satra Concentrates Draft Fact Sheet, w/attachment – Analytical Report	1/29/97	76	Exemption 5
20. Memo to Catherine Stroup, OEPA from Mike Sherron, OEPA	8/14/02	43	Exemption 3
21. Informed Investigator Report w/ Attachments, employee records and Correspondence	3/25/99	53	Exemption 6
22. 1120 U.S. Corporation Income Tax Returns for 1983 to 1988	Various Dates	800	Exemption 4
23. Final Close-Out Memorandum for Removal Action Jefferson Processing Site, Mingo Junction, Jefferson County, Ohio		8	Exemption 5
24. Multi-Site Potentially Responsible Party Search – Title Search Report for Jefferson Processing	3/1/00	47	Exemption 5
25. Handwritten – Conversation Record	3/22/90	1	Exemption 5
26. File – to Chuck Councilor, Satralloy, Inc. from Mark Stern, Koenig, Ratner & Mott re: Second Amendment to Equibank/ Satralloy Loan Agreement, etc.	1/18/79	144	Exemption 4